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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 1059.00096	
In Re Application Of: Sabbah, et al.					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/700,032	11/03/2003		48924	1632	3424
Title: CARDIAC TRANSPLANTATION OF STEM CELLS FOR TREATMENT OF HEART FAILURE					
<div style="display: flex; justify-content: space-around; align-items: center;"><div style="text-align: center;"></div><div style="text-align: center;"><p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p><p>37 CFR 1.97(b)</p><p>1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p><p style="text-align: center;">37 CFR 1.97(c)</p><p>2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p><div style="margin-left: 40px;"><p><input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p><p style="text-align: center;">OR</p><p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p></div></div></div>					

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10/700,032	11/03/2003		48924	1632	3424

Title: **CARDIAC TRANSPLANTATION OF STEM CELLS FOR TREATMENT OF HEART FAILURE**



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
1059.00096

In Re Application Of: **Sabbah, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/700,032	11/03/2003		48924	1632	3424

Invention: **CARDIAC TRANSPLANTATION OF STEM CELLS FOR THE TREATMENT OF HEART FAILURE**



COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.


Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

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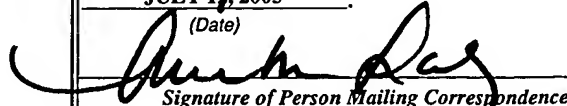
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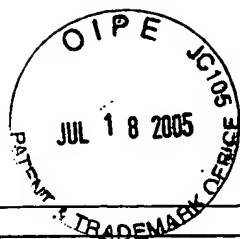
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MANUAL OF PATENT EXAMINING PROCEDURE

PTO/SB/08 (2-92)

Sheet 1 of 2

Form PTO-1449 SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) 1059.00096		Application Number 10/700,032	
				Applicant Sabbah, et al.			
				Filing Date 11/03/2003		Group Art Unit 1632	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS							
	DOCKET NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	1 136 083 A		EP				
OTHER DOCUMENTS <i>(Including Author, Title, Date Pertinent Pages, Etc.)</i>							
		Aoki, M., et al. Beneficial Angiogenesis Induced by Over-Expression of Human Hepatocyte Growth Factor (HGF) in Non-Infarcted and Infarcted Myocardium: Potential Gene Therapy for Myocardial Infarction. <i>Circulation, American Heart Association</i> , vol. 98, no. 17, suppl, 27 October 1998, pages I-321					
		Esakof, D., et al. Intraoperative Multiplane Transesophageal Echocardiography for Guiding Direct Myocardial Gene Transfer of Vascular Endothelial Growth Factor in Patients with Refractory Angina Pectoris. <i>Human Gene Therapy</i> vol. 10:2307-2314 (September 20, 1999)					
		Grant, Derrick S., et al. Scatter factor induces blood vessel formation in vivo. <i>Proc. Natl. Acad. Sci. USA</i> , Vol 90, pp. 1937-1941, March 1993					
		Harada, K., et al. Vascular endothelial growth factor administration in chronic myocardial ischemia. 1996 <i>The American Physiological Society</i> . H1791-1802					
		Heath, Carole A., et al. Cells for tissue engineering. <i>Trends in Biotechnology</i> , January 2000 (Vo. 18) 17-19					
		Kaye, D., et al. Reduced Myocardial Nerve Growth Factor Expression in Human and Experimental Heart Failure. <i>Circ Res.</i> Vol. 100, no. 18 suppl., 2000;86:e80-e84					
		Klug, M., et al. Genetically Selected Cardiomyocytes from Differentiating Embryonic Stem Cells Form Stable Intracardiac Grafts. <i>J. Clin. Invest. The American Society for Clinical Investigations, Inc.</i> Vol 98, Number 1, July 1996. 216-224					
		Landau, C., et al. Intrapericardial basic fibroblast growth factor induces myocardial angiogenesis in a rabbit model of chronic ischemia. <i>American Heart Journal</i> , May 1995 924-931					
		Morbideilli, L., et al. Nitric Oxide Mediates Mitogenic Effect of VEGF on Coronary Venular Endothelium. <i>American Journal of Physiology: Heart and Circulatory Physiology</i> , The American Physiological Society, vo. 270, no. 1, part 2, 1996, pages H411-H415					
		Tomita, S., et al. Autotransplanted Mesenchymal Stem Cells Improve Function After a Myocardial Infarction. <i>Circulation, American Heart Association</i> , vo.. 98, no. 17, suppl, 27 October 1998, pages I-200					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							